

AN ORDINANCE BY

01-○ -1705

COUNCILMEMBER DEBI STARNES

AN ORDINANCE TO AMEND ORDINANCE 01-O-0660 TO ALLOW FOR AN EXCHANGE OF PROPERTY TO RELOCATE A PORTION OF THE RIGHT-OF-WAY OF ABERCROMBIE STREET, N.W. (A. K. A. SIXTH STREET), SAID PORTION BEING APPROXIMATELY 478 FEET IN LENGTH RUNNING BETWEEN SPRING STREET AND WILLIAMS STREET, 0.676 ACRES IN AREA, LYING IN LAND LOT 80, 14TH DISTRICT, FULTON COUNTY, GEORGIA, AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: That ordinance 01-O-0660 is hereby amended to allow for an exchange of property to relocate a portion of the right-of-way of Abercrombie Street, N.W. (A. K. A. Sixth Street), said portion being approximately 478 feet in length running between Spring Street and Williams Street, 0.676 acres in area, lying in Land Lot 80, 14th District, Fulton County, Georgia.

Section 2: That the Mayor is hereby authorized to execute a quitclaim deed for the exchange of said property.

AUG 15 2001 10:59AM HP LASERJET 3200

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**MUNICIPAL CLERK
CITY OF ATLANTA**

AN ORDINANCE

BY CITY UTILITIES COMMITTEE

01-0 -0660

**AN ORDINANCE TO ABANDON A PORTION OF THE
RIGHT-OF-WAY OF ABERCROMBIE STREET NW (A.K.A. SIXTH
STREET), SAID PORTION BEING APPROXIMATELY 478 FEET IN
LENGTH RUNNING BETWEEN SPRING STREET AND WILLIAMS
STREET, 0.676 ACRES IN AREA, LYING IN LAND LOT 80, 14TH DISTRICT,
FULTON COUNTY, GEORGIA, AND FOR OTHER PURPOSES.**

**WHEREAS, the City of Atlanta has received a petition to abandon a portion of the
right-of-way of Abercrombie Street NW (A.K.A. Sixth Street), said portion being;
approximately 478 feet in length running between Spring Street and Williams Street,
0.676 acres in area, in land lot 80, 14th District, Fulton County, Georgia, and for other
purposes; and**

**WHEREAS, the Commissioner of the Department of Public Works has determined that
said petition is complete and that the required application fee has been paid to the City of
Atlanta; and**

**WHEREAS, all abutting property owners have gone on record in support of the
proposed abandonment; and**

**WHEREAS, the abandoned street right-of-way shall become a part of the abutting
property owners' private property and shall be their responsibility to maintain; and**

**WHEREAS, the petitioners agree to purchase from the City of Atlanta at appraised fair
market value the street right-of-way to be abandoned.**

AUG 15 2001 10:59AM HP LASERJET 3200

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NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, AS FOLLOWS:

Section 1. That a portion of the right-of-way of Abercrombie Street NW (A.K.A. Sixth Street), said portion being approximately 478 feet in length running between Spring Street and Williams Street, 0.576 acres in area, in land lot 80, 14th District, Fulton County, Georgia, as shown on the attached survey plat, is hereby declared no longer useful or necessary for the public use and convenience.

Section 2. That the City of Atlanta hereby abandons the above described portion of Abercrombie Street (A.K.A. Sixth Street) with the reservation of permanent easements for the purpose of entering the property to operate, maintain, or replace utility facilities. Easements shall remain in effect until such time as said utilities may be abandoned, removed, or relocated, at which time said easements shall expire.

Section 3. That the Director of the Bureau of Purchasing and Real Estate is hereby directed to have prepared an appraisal of the fair market value of the street right-of-way to be abandoned.

Section 4. That all costs associated with the appraisal of the subject property and all costs associated with the advertising of this petition for abandonment shall be charged to and paid from Account Number 1A01 524001 G55001.

Section 5. That upon approval of this ordinance, and upon acceptance of the necessary documents by the Department of Public Works, and upon receipt of payment from the petitioner in the amount of the appraised fair market value of the property, the City Attorney is hereby directed to prepare a Quit Claim Deed and other appropriate documents for said abandoned street right-of-way.

Section 6. That the conditions of NPU-E are to be added to the ordinance. The developer is required to adhere to the following conditions subject to review by the Planning Department:

- (1) keep the relocated Abercrombie Street open for public pedestrian and vehicular traffic.
- (2) Create an aesthetically pleasing parking deck that looks like a building rather than a parking deck. The parking deck will be visible from Spring Street until the future residential component is built. The deck will then be visible from the residential component and will have an effect on the quality and viability of the residential component. The best treatment would be to have the ground floor as retail, live/work space, or residential units.

Section 7. That the Mayor is hereby authorized to execute said Quit Claim Deed for the abandoned street right-of-way, all other conditions being satisfied.

Section 8. Upon execution, all documents shall be filed and recorded with the Clerk of Superior Court of Fulton County.

Amendment incorporated by top 7726/01

A true copy,

Shonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

JUL 18, 2001
JUL 24, 2001

01-0-1705

(Do Not Write Above This Line)

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AND WILLIAMS STREET,
0.676 ACRES IN AREA, LYING
IN LAND LOT 80, 14TH
DISTRICT, FULTON COUNTY,
GEORGIA, AND FOR OTHER
PURPOSES.

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

Date Referred 10/15/01

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Refer To

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

MAYOR'S ACTION